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Attorneys for Plaintiff League of Wilderness Defenders/Blue Mountains
Biodiversity Project

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PENDLETON DIVISION

LEAGUE OF WILDERNESS
DEFENDERS/BLUE MOUNTAINS
BIODIVERSITY PROJECT,
an Oregon non-profit corporation,

Plaintiff,

v.

SLATER R. TURNER, District Ranger,
Crooked River National Grassland and
Lookout Mountain, Ochoco National
Forest, in his official capacity;
and **UNITED STATES FOREST**
SERVICE, an agency of the United States
Department of Agriculture,

Defendants

Case No. 2:16-CV-01648-MO

DECLARATION OF KAREN
COULTER

I, Karen Coulter, state and declare as follows:

1. I reside in Oregon and my mailing address is 27803 Williams Lane, Fossil, Oregon. I have personal knowledge of the facts set forth below.

2. I am the Director of the Blue Mountains Biodiversity Project (“BMBP”) and I have served in that role for many years.

3. BMBP is a project of the League Of Wilderness Defenders (“LOWD”), a nonprofit environmental advocacy organization dedicated to the conservation of natural ecosystems in the Pacific Northwest and the native flora and fauna they harbor. I will refer to BMBP and LOWD collectively as LOWD/BMBP.

4. BMBP furthers LOWD’s goals throughout the Blue Mountains. BMBP’s mission is to protect and restore the biodiversity of the Blue Mountains region and to educate the public about threats to its forest ecosystems. To further its mission BMBP monitors timber sales and other Forest Service activities on the Malheur, Umatilla, Wallowa-Whitman, Ochoco, and Deschutes National Forests. A BMBP volunteer, and myself, field checked the areas of the Walton Lake Project that the scoping notice for that Project indicated might be subject to commercial logging. I then submitted comments to the Forest Service on the Scoping Notice for the Walton Lake Project on behalf of LOWD/BMBP. The Scoping notice did not mention the Eastside Screens restrictions or explain why the Forest Service thought those restrictions on logging trees over 21 inches dbh supposedly did not apply to this project.

5. LOWD/BMBP has “supporters” rather than “members,” although many LOWD/BMBP supporters often refer to themselves as members. Someone who donates money to LOWD/BMBP or donates their time supporting LOWD/BMBP’s activities is a LOWD/BMBP supporter. LOWD/BMBP currently has supporters throughout Oregon. LOWD/BMBP’s

supporters receive written action alerts and annual reports. Marilyn Miller of Bend, Oregon has been a supporter of LOWD/BMBP for many years.

6. LOWD/BMBP's supporters and staff hike, camp, bird watch, view wildlife, photograph scenery and wildlife, and engage in other recreational, educational, spiritual and scientific activities within the Ochoco National Forest, including the Walton Lake Project area and adjacent lands.

7. Although BMBP is a project of LOWD, BMBP has its own, separate budget and employees. BMBP is a very small non-profit project, and BMBP is responsible for raising its own money to pay for its expenses. It is funded by donations from its supporters and occasional small grants from foundations. I am one of only two "full-time" employees, and in the recent past BMBP has sometimes had insufficient funds to pay me a salary. BMBP engages volunteer summer interns to assist with monitoring the sites of proposed timber sales.

8. In 2015 BMBP's income was \$44,956, and in 2015 BMBP's expenses totaled \$44,300. BMBP's expenses did include some money for litigation costs such as filing fees and postage and copying costs for submitting NEPA comments.

9. BMBP has no money in its budget to pay for a bond to obtain a preliminary injunction. LOWD/BMBP has obtained preliminary injunctions against proposed national forest logging in the past, and LOWD/BMBP has never been required to pay a bond. If bonds were required in order to obtain preliminary injunctions LOWD/BMBP would not be able to pay them. Imposing a bond requirement would therefore thwart citizen action in this case, would effectively deny LOWD/BMBP access to judicial review of at least a significant portion of a substantial environmentally harmful timber sale on our public lands and would expose LOWD/BMBP's supporters to unavoidable irreparable harm to their ongoing use of the Walton Lake area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of September, 2016.

s/Karen Coulter

Karen Coulter